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EXAMINER

BELIVEAU, SCOTT E

| ART UNIT | PAPER NUMBER |
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2614

DATE MAILED: 02/23/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/851,841

Applicant(s)

LUNDBALD ET AL

Examiner

Scott Beliveau

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-32 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-32 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 09 May 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 19 July 2001.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

DETAILED ACTION

Drawings

1. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the particularly claimed “browser component” (Claims 1, 8, and 18) must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as “amended.” If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either “Replacement Sheet” or “New Sheet” pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 102

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2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-5, 8-12 and 14 are rejected under 35 U.S.C. 102(e) as being anticipated by D'Luna et al. (US Pub No. 2002/106018 A1).

In consideration of claim 1, Figure 1 of D'Luna et al. illustrates a "system" that is operable to "receive a digital transmission" such as that associated with MPEG-2 transmissions "including digital data including video packets, audio packets and data packets" (Para. [0034]) through a "set top box" [10] which "receives and processes the digital data" (Para. [0033]). As illustrated in Figure 2, the "set top box" [100] comprises "a tuning component" [124/104/111] for "receiving the digital transmission . . . [and] producing at least one channel . . . having digital data" (Para. [0035], [0037], [0038], [0041], and [0042]), a "A/V/D unit" [106] for "processing each at least one channel" (Para. [0039] – [0040]), a "processing component" [112/114/102] which implicitly includes "a browser operably connected with the tuning component and the A/V/D unit" so as to facilitate the disclosed web browsing functionality (Para. [0114]) wherein the "processing component provides control functionality for the tuning component and the A/V/D unit" (Para. [0036]) and a "unified memory" [126] which is "controlled by the processing component . . . [and] satisfies memory requirements of the tuning component, the A/V/D/ unit, and the processing component" (Para. [0050]).

Claim 2 is rejected wherein the aforementioned “set top box” [100] comprises “at least one tuning and demodulating component for tuning and demodulating the digital transmission to produce at least one transport stream” [124/104] ((Figure 3; Para. [0037]) and “at least one transport module” [111] for “producing the at least one channel from the at least one transport stream” (Figure 7; Para. [0041] and [0042]).

Claim 3 is rejected wherein the aforementioned “at least one tuning and demodulating component” [124/104] comprises “at least one tuner” [124] (Para. [0038]) and “at least one demodulator for demodulating the at least one transport stream” [104] (Para. [0057]).

Claim 4 is rejected wherein as illustrated in Figure 7 the “at least one transport module” [111] comprises “at least one transport demultiplexor for demultiplexing each at least one transport stream to produce each at least one channel” and “at least one descrambler for decrypting each at least one channel that is encrypted” [716] (Para. [0041] – [0043] and [0091] – [0106]).

Claim 5 is rejected wherein the “A/V/D unit” [106] comprises an “audio decoder for decoding audio packets of the at least one channel” (Figure 8), a “video decoder for decoding video packets of the at least one channel” (Figure 11), and a “data component for processing data packets of the at least one channel” (not clearly illustrated) (Para. [0040]) associated with received data by the “set top box” (Para. [0033]) including “data” associated with web browsing functionality graphics (Para. [0114]), closed caption information (misabeled video reconstruction & closed captioning block of Figure 11), and/or out-of-band messaging (Para. [0039]).

In consideration of claim 8, Figure 1 of D'Luna et al. illustrates a "system" that is capable of "receiving a digital transmission" such as that associated with MPEG-2 transmissions which includes "interactive content, video programming and audio programming" (Para. [0034]) through a "set top box" [10] which "receives and processes the digital data" (Para. [0033]). As illustrated in Figure 2, the "set top box" [100] comprises "one or more tuning and demodulating components" [124/104] for "tuning and demodulating one or more transport streams contained in the digital transmission, each transport stream being capable of carrying the digital data" (Para. [0035] and [0037] - [0039]), a "transport demultiplexor" [111] which as illustrated is "operably connected to the one or more tuning and demodulating components for demultiplexing each transport stream output by the one or more tuning components to produce one or more channels" (Figure 7; Para. [0041] - [0042] and [0091]), an "A/V/D unit" [102/106] for "processing the digital data of the one or more channels . . . decoding the video programming, and the audio programming and processing the interactive content of the one or more channels" (Para. [0039] - [0040] and [0048]), a "unified memory" [126] (Para. [0050]), and a "processing component" [112/114/102] which implicitly includes "a browser" so as to facilitate the disclosed web browsing functionality (Para. [0114]) and "provides the one or more tuning and demodulating components, the transport demultiplexor, and the A/V/D unit with access to the unified memory" as illustrated in Figure 2.

With respect to the claimed limitation such that the "unified memory is dynamically allocated . . . ", the reference is silent as to the details regarding the memory arbiter of the "processing component" [112/114]; however it explicitly incorporates co-pending US Pat App No. 09/641,374 (Para. [0049]) by reference in its entirety. The incorporated co-pending

application discloses that the “processing component” [112/114] “dynamically allocates” the aforementioned “unified memory” [126] to the “one or more tuning and demodulating components, the transport demultiplexor, and the A/V/D unit according to their respective needs.” (Macinnis et al. (‘374): Page 105, Line 13 – Page 106, Line 2; Page 108, Lines 4-14).

Claim 9 is rejected wherein the “interactive content includes one or more of . . . graphics; and Internet web pages” (Para. [0114]).

Claim 10 is rejected wherein “each tuning and demodulating component” [124/104] comprises “at least one tuner operably connected to at least one demodulator” (Para. [0038] and [0057]).

Claim 11 is rejected wherein “each channel is a video stream” (Para. [0044]) which will be eventually displayed [50].

Claim 12 is rejected wherein the “set top box” [100] further comprises a “communications device” [108] (Para. [0053]).

Claim 14 is rejected wherein the “A/V/D unit” [102/106] comprises a “graphic engine” [102] for “processing interactive content of the one or more channels” (Para. [0048] and [0114]), an “audio decoder for decoding audio packets of the one or more channels” (Figure 8), and a “video decoder for decoding video packets of the one or more channels” (Figure 11).

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4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

6. Claims 6, 7, 15-17, and 27-31 are rejected under 35 U.S.C. 103(a) as being unpatentable over D'Luna et al. (US Pub No. 2002/106018 A1) in view of Chaney et al. (US Pat No. 6,594,361 B1).

In consideration of claim 6, the D'Luna et al. reference discloses the particular usage of "conditional access" [716] in connection with a "vendor system" or smart card using either the DVB or DES encryption standard (Figure 7; Para. [0043]). The reference, however, is silent as to the details of its operation such that the "conditional access receives conditional access packets in the at least one channel and transmits the conditional access packets to a vendor system". In an analogous art pertaining to conditional access in video distribution set-top terminals, the Chaney et al. reference provides evidence that it is commonly known in the art in connection with smart card systems for a DES based "conditional access" [130] to

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receive “conditional access packets” (ex. ECM or EMM) in “at least one channel and transmit the conditional access packets to a vendor system” or smart card [180] (Chaney et al.: Col 3, Line 47 – Col 4, Line 13; Col 4, Line 47-64; Col 5, Line 48 – Col 6, Line 14). Accordingly, it would have been obvious to one having ordinary skill in the art so as to utilize the particular techniques for distributing conditional access packets to a smart card as is known in the art as evidenced by Chaney et al. for the purpose of providing a means so as to provide a means to advantageously limit access to programs using well-known techniques associated with smart card systems (Chaney et al.: Col 1, Line 13 – Col 2, Line 24; Col 7, Lines 21-22).

Claim 7 is rejected wherein the Chaney et al. reference further discloses that the aforementioned typical “conditional access” [130] further “receives decrypted keys” from the “vendor device” [180] for use in “decrypting each of the at least one channel that is encrypted” (Channey et al.: Col 5, Line 64 – Col 6, Line 14).

In consideration of claim 15, as aforementioned, the D’Luna et al. reference discloses the particular usage of “conditional access component” [111] in connection with a “vendor system” or smart card using either the DVB or DES encryption standard (Figure 7; Para. [0043]). The reference, however, is silent as to the details of its operation such that the “conditional access component receives conditional access packets from the digital transmission and transmits the conditional access packets to a vendor system” such as a smart card. The Chaney et al. reference provides evidence that it is commonly known in the art in connection with smart card systems for a DES based “conditional access component” [120/130] to receive “conditional access packets” (ex. ECM or EMM) from a “digital

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transmission” derived from a “DSS” or digital satellite system and implicitly being MPEG based in view of the particular usage of standardized MPEG terminology such as PID (Col 3, Lines 47-55) and to “transmit the conditional access packets to a vendor system” or smart card [180] (Chaney et al.: Col 3, Line 47 – Col 4, Line 13; Col 4, Line 47-64; Col 5, Line 48 – Col 6, Line 14). Accordingly, it would have been obvious to one having ordinary skill in the art so as to utilize the particular techniques for distributing conditional access packets to a smart card as is known in the art as evidenced by Chaney et al. for the purpose of providing a means so as to provide a means to advantageously limit access to programs using well-known techniques associated with smart card systems (Chaney et al.: Col 1, Line 13 – Col 2, Line 24; Col 7, Lines 21-22)

Claim 16 is rejected in wherein the aforementioned “conditional access component” [120/130] “receives entitlement management message (EMM) packets and entitlement control message (ECM) packets carried in the digital transmission and provides the ECM packets and the EMM packets” to the “vendor system” [180] (Chaney et al.: Col 4, Lines 47-64; Col 5, Lines 49-59).

Claim 17 is rejected wherein the “conditional access component” [120/130] “receives decrypted keys from the vendor system for use in decrypting each of the one or more channels having encrypted digital data” (Chaney et al.: Col 5, Line 64 – Col 6, Line 14).

In consideration of claim 27, Figure 1 of D’Luna et al. illustrates a “system” having a “set top box” [10] that is “capable of receiving a digital transmission” such as that associated with MPEG-2 transmissions which contains “video packets, audio packets, and data packets including interactive content” (Para. [0034]). As illustrated in connection with the

components of Figure 2, the “set top box” [10] subsequently implements a “method for processing the digital transmission to produce video and audio outputs” for display on a television [50]. As aforementioned, the system is operable to “tune the received digital transmission to produce a transport stream having at least one channel, wherein some of the at least one channel are encrypted” [124/104] (Para. [0035] and [0037] - [0039]), “demultiplex the transport stream to produce the at least one channel, through a conditional access to a security system” [111] (Figure 7; Para. [0041] – [0044], [0091], and [0095]), and “process the video packets, audio packets and data packets contained in the at least one channel with an A/V/D unit” [102/106] (Para. [0039] – [0040] and [0048]) in order to produce the “video and audio outputs” for presentation on the television [50].

As previously set forth, the D’Luna et al. reference discloses the particular usage of “conditional access” in connection with a smart card or “security system” (Figure 7; Para. [0043]). The reference, however, is silent as to the details of its operation such that the system “passes encrypted keys” and “receives decrypted keys” as claimed. The Chaney et al. reference provides evidence that it is commonly known in the art in connection with smart card based systems to “pass encrypted keys extracted from the at least one channel, through a conditional access “[180] to a “security system” [183] and to “receive decrypted keys, through the conditional access, from the security system” (Chaney et al.: Col 3, Line 47 – Col 4, Line 13; Col 4, Line 47-64; Col 5, Line 48 – Col 6, Line 14). Accordingly, it would have been obvious to one having ordinary skill in the art so as to utilize the particular techniques for distributing conditional access packets to a smart card as is known in the art as evidenced by Chaney et al. for the purpose of providing a means so as to provide a means to

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advantageously limit access to programs using well-known techniques associated with smart card systems (Chaney et al.: Col 1, Line 13 – Col 2, Line 24; Col 7, Lines 21-22)

Claim 28 is rejected wherein the aforementioned “step of tuning the received digital transmission further comprises the step of demodulating the received digital transmission” (D’Luna et al.: Para. [0057]).

In consideration of claim 29, the aforementioned “step of passing encrypted keys further comprises the step of transmitting entitlement management messages (EMM) and entitlement control message (ECM) packets to the security system” [180] (Chaney et al.: Col 5, Line 48 – Col 6, Line 14).

Claim 30 is rejected wherein the aforementioned “step of processing . . . with an A/V/D unit” [102/106] comprises “decoding the audio content, decoding the video content, and processing the interactive content with a browser” (D’Luna et al.: Para. [0044] and [0144])

Claim 31 is rejected wherein the “step of receiving decrypted keys” further comprises “decrypting the at least one channel if the at least one channel is encrypted” (Chaney et al.: Col 5, Line 64 – Col 6, Line 14).

7. Claim 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over D’Luna et al. (US Pub No. 2002/106018 A1) in view of Auld et al. (US Pat No. 6,526,583 B1).

In consideration of claim 13, the D’Luna et al. reference discloses that it is operable to connect to the Internet (Para. [0034]), comprises a “modem” (Para. [0081]), and is operable to support web browsing (Para. [0114]). The reference, however, does not clearly tie the aforementioned modem as the particular communication device so as to interconnect with the Internet as is known in the art. In an analogous art relating to video distribution system set-

top terminals, the Auld et al. reference clearly illustrates that it is known in the art for a set-top box having a unified memory architecture [300] to comprise a “communications device” that is a “modem” [330] for connecting with the “Internet over the digital system” [335]. Accordingly, it would have been obvious to one having ordinary skill in the art so as to particularly utilize a “modem” [330] for connecting to the “Internet over the digital system” [335] as illustrated in Auld et al. for the purpose of advantageously providing an inexpensive means so as to facilitate the aforementioned Internet connectivity / web-browsing of D’Luna et al. through a landline connection.

8. Claims 18-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over D’Luna et al. (US Pub No. 2002/106018 A1) in view of Crosby et al. (US Pat No. 5,933,192).

In consideration of claim 18, Figure 1 of D’Luna et al. illustrates a “system” that is capable of “receiving a digital transmission” such as that associated with MPEG-2 transmissions which includes “at least interactive content, video programming and audio programming” (Para. [0034]) through a “set top box” [10] which “processes the digital data” (Para. [0033]).

As illustrated in Figure 2, the “set top box” [100] comprises a “tuning and demodulating component” [124/104] for “producing at least one transport stream from the digital transmission” (Para. [0035] and [0037] - [0039]), a “transport demultiplexor” [111] for “receiving each transport stream output by the tuning and demodulating component . . . selects a channel from each transport stream . . . comprising a serial bitstream of related packets . . . comprising at least one of video packets, audio packets, and interactive content packets” in accordance with the processing of an MPEG encoded signal (Figure 7; Para.

[0041] – [0044] and [0091]), an “A/V/D unit” [102/106/114] including a “browser” which “decodes the video packets, decodes the audio packets and processes the interactive content packets with the browser” (Para. [0039] – [0040], [0048], and [0144]), a “unified memory” [126] (Para. [0050]), and a “processing component” [112] which “provides a unified memory” [126] to so as to “satisfy the requirements” of the “transport demultiplexor, the A/V/D unit, and the tuning and demodulating component” (Macinnis et al. (‘374): Page 105, Line 13 – Page 106, Line 2; Page 108, Lines 4-14).

The D’Luna et al. reference discloses that it is operable to support audio/video, data, and/or graphics content using satellite links (Para. [0033]), however, it is unclear if the aforementioned “tuning and demodulating component” [124/104] necessarily comprises a “plurality of tuners . . . being operably connected with a corresponding demodulator”. In an analogous art associated with video distribution system set-top terminals, Figure 1 of the Crosby et al. reference illustrates a satellite receiver for processing MPEG encoded data and generating a subsequent transport stream wherein the “tuning and demodulating component” [20] comprises a “plurality of tuners . . . being operably connected with a corresponding demodulator” (Col 3, Lines 30-61). Accordingly, it would have been obvious to one having ordinary skill in the art at the time the invention was made so as to modify the D’Luna et al. “tuning and demodulating component” [124/104] so as to utilize a “plurality of tuners” as claimed and disclosed by Crosby et al. for the purpose of advantageously providing a means by which to provide quicker response to a user’s command to change channels through the use of multiple tuners (Crosby et al.: Col 1, Lines 49-53).

Claim 19 is rejected wherein “each of the at least one transport streams produced by the tuning and demodulating component comprises multiplexed channels” in accordance with the MPEG specification (Crosby et al: Col 1, Lines 30-51).

Claim 20 is rejected wherein the “transport demultiplexor” [111] “demultiplexes each of the at least one transport streams to select at least one channel” for display (D’Luna et al.: Figure 7; Para. [0041] and [0042]).

Claim 21 is rejected wherein the “A/V/D unit” [102/106/114], as disclosed by., is “capable of producing at least one video output and at least one audio output for use by an end device” (D’Luna et al.: Para. [0040]).

Claim 22 is rejected wherein the “end device” [50] is a “television capable of rendering the at least one video output and the at least one audio output.” (Para. [0033])

Claim 23 is rejected wherein the “unified memory” [126] is “accessible by the A/V/D unit, the transport demultiplexor, and the tuning and demodulating component” ” (Macinnis et al. (‘374): Page 105, Line 13 – Page 106, Line 2; Page 108, Lines 4-14).

Claims 24 and 25 are rejected wherein the “set top box” [100] comprises a “conditional access component” [716] which comprises “security means for ensuring that only authorized consumers obtain access to encrypted channels” in accordance with the DVB encryption standard (Para. [0043]).

9. Claim 26 is rejected under 35 U.S.C. 103(a) as being unpatentable over D’Luna et al. (US Pub No. 2002/106018 A1), in view of Crosby et al. (US Pat No. 5,933,192), and in further view of Letellier et al. (US Pat No. 6,594,361 B1).

In consideration of claim 26, the D'Luna et al. reference discloses the particular usage of encryption and an "application program interface", however it does not particularly disclose nor preclude the usage of the "application program interface" in connection with the conditional access components as claimed. In a related art pertaining to supporting conditional access in video distribution set-top terminals, the Letellier et al. reference discloses a "conditional access component" associated with the set-top terminal which comprises an "applications programming interface" that is "capable of interacting with a vendor supplied device" [120] such that "conditional access packets are provided to the vendor supplied device through the conditional access component" in accordance with the DVB-CI specification (Col 2, Lines 12-21; Col 3, Line 46 – Col 4, Line 31). Accordingly, it would have been obvious to one having ordinary skill in the art at the time the invention was made so as to utilize the "application program interface" teachings of Letellier et al. in connection with the D'Luna et al. device for the purpose of advantageously facilitating transparent support for conditional access features to a set-top box in a manner that facilitates open standardization while maintaining propriety system elements (Letellier et al.: Col 2, Lines 33-34 and 62-67).

10. Claim 32 is rejected under 35 U.S.C. 103(a) as being unpatentable over D'Luna et al. (US Pub No. 2002/106018 A1), in view of Chaney et al. (US Pat No. 6,594,361 B1), and in further view of Letellier et al. (US Pat No. 6,594,361 B1).

In consideration of claim 32, the D'Luna et al. reference discloses the particular usage of encryption and an "application program interface", however it does not particularly disclose nor preclude the usage of the "application program interface" in connection with the

conditional access components as claimed. As aforementioned, the analogous art related Chaney et al. reference discloses the particular usage of conditional access in a satellite based system (Chaney et al.: Col 3, Lines 48-55). The Letellier et al. reference teaches a method whereby “conditional access” [120] comprises an “applications programming interface . . . [that] is accessible by the security system” in accordance with the DVB-CI specification (Col 2, Lines 12-21; Col 3, Line 46 – Col 4, Line 31). Accordingly, it would have been obvious to one having ordinary skill in the art at the time the invention was made so as to utilize the “application program interface” teachings of Letellier et al. in connection with the D’Luna et al. device for the purpose of advantageously facilitating transparent support for conditional access features to a set-top box in a manner that facilitates open standardization while maintaining propriety system elements (Letellier et al.: Col 2, Lines 33-34 and 62-67).

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure as follows. Applicant is reminded that in amending in response to a rejection of claims, the patentable novelty must be clearly shown in view of the state of the art disclosed by the references cited and the objections made.

- The MacInnis et al. (US Pat No. 6,853,385 B1) reference discloses a video, audio, and graphics system which utilizes a unified memory architecture.
- The Lajoie et al. (US 5,850,218) reference discloses a set top box that comprises a unified memory architecture.

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- The Martin et al. (US Pub No. 2002/0067376 A1) reference discloses the general architecture of a browser enabled set-top box that is configured to operate in connection the conditional access system of a satellite provider.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Scott Beliveau whose telephone number is 703-305-4907.

The examiner can normally be reached on Monday-Friday from 8:30 a.m. - 6:00 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John W. Miller can be reached on 703-305-4795. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



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